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101ST CONGRESS
2d Session

SENATE

REPORT
101-318

WEIR FARM NATIONAL HISTORIC SITE

JUNE 8 (legislative day, APRIL 18), 1990.—Ordered to be printed

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Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 2059]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2059) to establish the Weir Farm National Historic Site in the State of Connecticut, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Weir Farm National Historic Site Establishment Act of 1990".

SEC. 2. DEFINITIONS.

As used in this Act the term—

(1) "Secretary" means the Secretary of the Interior; and

(2) "historic site" means the Weir Farm National Historic Site established in section 4.

SEC. 3. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the National Park System preserves for the American people natural and historic places reflective of the Nation's heritage;

(2) the National Park System contains no sites commemorating famous American painters or the artistic traditions to which they contributed;

(3) the Weir Farm in Connecticut is listed on the National Register of Historic Places and is deserving of inclusion in the National Park System as an outstanding historic site associated with major American artists and several artistic developments;

(4) the Weir Farm, acquired in 1881 by J. Alden Weir, a founder and principal exponent of American Impressionism, has been continuously occupied by working artists and their families who have maintained its significance and integrity as a historic site;

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(5) the pastoral setting and tranquility of the Weir Farm served as the inspiration and subject for the works of Weir, John Singer Sargent, John H. Twachtman, Childe Hassam, Albert Pinkham Rider, Theodore Robinson, Mahonri Mackintosh Young, and other noted artists who lived and visited there;

(6) the Weir Farm is the best preserved site with a home, workplace, and landscape associated with the American Impressionism movement and larger developments in American art in the late 19th century, including shifts in subject matter from heroic wilderness vistas to familiar, domesticated landscapes and in working methods from studio to open air painting; and

(7) the Weir Farm, including the house, barns, studios, pond, field, and woods thereon, and the approximately 113 acres of adjacent natural areas owned by the Nature Conservancy and the Town of Ridgefield, Connecticut, provide superlative opportunities for illustrating and interpreting important cultural themes of our Nation's heritage and for public recreation and enjoyment in a State which suffers a dearth of open space accessible to the public and which is unrepresented in the National Park System.

(b) PURPOSES.—The purposes of this Act are—

(1) to preserve a site of profound significance for the tradition of American Impressionism and an outstanding example of the country retreats and landscapes associated with that movement and the evolving artistic methods of the late 19th century;

(2) to maintain the integrity of a setting that inspires artistic expression and encourages public enjoyment; and

(3) to offer opportunities for the recreation and education of the American people.

SEC. 4. ESTABLISHMENT OF WEIR FARM NATIONAL HISTORIC SITE.

(a) IN GENERAL.—There is established, as a unit of the National Park System, the Weir Farm National Historic Site in the State of Connecticut.

(b) DESCRIPTION.—The historic site shall consist of—

(1) the approximately 2-acre core parcel containing the Weir house, studio, and barn; and

(2) the approximately 60 acres and improvements thereon owned by the State of Connecticut;

both as generally depicted on a map entitled "Land Ownership Map, Weir Farm Historic Site", Figure 5, dated October 1989, as contained in the National Park Service Weir Farm Suitability/Feasibility Study, February, 1990. Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 5. ACQUISITION OF REAL AND PERSONAL PROPERTY AND SERVICES.

(a) REAL AND PERSONAL PROPERTY.—The Secretary is authorized to acquire by donation, exchange, or purchase with donated or appropriated funds, the core parcel and improvements thereon, and may acquire by donation or exchange all other lands and improvements within the boundaries of the historic site. The Secretary may also acquire by the same methods personal property associated with, and appropriate for, the interpretation of the historic site: *Provided*, That the Secretary may acquire works of art associated with the Weir family, J. Alden Weir, and other artists who lived at or visited the site only by donation or purchase with donated funds.

(b) OTHER PROPERTY, FUNDS, AND SERVICES.—The Secretary is authorized to accept and use donated funds, property, and services to carry out this Act.

SEC. 6. ADMINISTRATION OF HISTORIC SITE.

(a) IN GENERAL.—The Secretary shall administer the historic site in accordance with this Act and laws generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (16 U.S.C. 1 et eq.), and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national historic significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 461 et seq.).

(b) COOPERATIVE AGREEMENTS.—(1) The Secretary may consult and enter into cooperative agreements with the State of Connecticut concerning the maintenance, restoration, and management of the lands and improvements within the boundaries of the historic site.

(2) The Secretary may consult and enter into cooperative agreements with the Weir Farm Heritage Trust, the State of Connecticut, the American Academy of Arts and Letters, and other organizations and groups in the development, presentation

and funding of art exhibits, resident artist programs, and other appropriate activities.

(3) the Secretary may consult and enter into cooperative agreements with the Nature Conservancy and the towns of Ridgefield and Wilton for the purpose of coordinating activities on the historic site with activities on the Nature Conservancy's Weir Preserve and lands adjoining the historic site owned by the towns.

(c) CONSULTATION.—The Secretary shall consult with the Weir Farm Heritage Trust in matters relating to the preservation, development, and use of the historic site.

(d) EXHIBITS.—The Secretary may display, and accept for the purpose of display, works of art associated with J. Alden Weir, the Weir Farm, and the American Impressionist movement.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, except that not more than $1,500,000 may be appropriated for the acquisition of real and personal property.

PURPOSE OF THE MEASURE

The purpose of S. 2059, as ordered reported, is to establish the Weir Farm National Historic Site in Ridgefield, Connecticut.

BACKGROUND AND NEED

J. Alden Weir was considered one of the leaders of the American Impressionist movement in the late 1800's and early 1900's. Weir was a founding member of the "Ten American Painters," the preeminent group of American Impressionists, and president of the National Academy of Design.

Although Weir lived in New York, he placed a special emphasis on his work depicting rural settings. In 1883, Weir traded a painting for approximately 200 acres in the Connecticut countryside, in Fairfield County. The farm's meadows, wetlands and woodlands were the inspiration for many of Weir's paintings, including classics such as On the Shore, The Donkey Ride, Weir's Orchard, and In the Dooryard.

Weir lived and painted at the farm for over 37 years, until his death in 1919. Following Weir's death, his son-in-law Mahonri Mackintosh Young—a grandson of Mormon leader Brigham Young—created many sculptures at the farm, including several monuments now displayed at Salt Lake City and throughout Utah.

Today, Weir Farm consists of 62 acres, and includes Weir's home and studio, barns and other outbuildings dating from the turn of the century, a 4-acre pond built by Weir, and a studio built and used by Weir's grandson, Mahonri Young. In 1984, Weir Farm was placed on the National Register of Historic Places.

The Trust for Public Lands owns the 2-acre core parcel containing the house, studio and barn. The State of Connecticut's Department of Environmental Protection owns the remaining 60 acres within the proposed historic site boundary. In addition, the Nature Conservancy owns and maintains the Weir Preserve, 90 acres of adjoining land, and the neighboring town of Ridgefield has set aside 23 acres bordering the site.

Weir Farm would be the first unit of the National Park System solely located in the State of Connecticut and the only dedicated to the story of the life and work of an American painter.

Legislative History

S. 2059 was introduced by Senators Lieberman and Dodd on February 5, 1990. The Subcommittee on Public Lands, National Parks and Forests held a hearing on S. 2059 on March 28, 1990.

At the business meeting on May 23, 1990, the Senate Committee on Energy and Natural Resources ordered S. 2059, as amended, favorably reported.

Committee Recommendations and Tabulation of Votes

The Senate Committee on Energy and Natural Resources, in open business session on May 23, 1990, by a unanimous vote of a quorum present, recommends that the Senate pass S. 2059, if amended as described herein.

The roll call vote on reporting the measure was 19 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Bradley	
Mr. Bingaman*	
Mr. Wirth	
Mr. Conrad*	
Mr. Heflin*	
Mr. Rockefeller	
Mr. Akaka	
Mr. McClure*	
Mr. Hatfield*	
Mr. Domenici	
Mr. Wallop	
Mr. Murkowski	
Mr. Nickles	
Mr. Burns	
Mr. Garn*	
Mr. McConnell*	

*Indicates voted by proxy.

Committee Amendments

During the consideration of S. 2059, the Committee adopted an amendment in the nature of a substitute. The amendment establishes the 62 acre Weir Farm National Historic Site as a unit of the National Park System. The amendment makes several technical, clarifying, or conforming changes, and the following substantive modifications:

As introduced, S. 2059 authorized the Secretary of the Interior to lease the 60 acre portion of the site owned by the State of Connecticut. The Committee amendment permits the Secretary to acquire the State property only by donation or exchange. This language is consistent with authorities in other units of the National Park System dealing with Federal acquisition of State-owned property.

The amendment also provides that the Secretary may only acquire works of art for Weir Farm by donation or purchase with donated funds. As introduced, S. 2059 permitted the Secretary to acquire collections of art with appropriated funds in addition to donation or purchase with donated funds.

Finally, the amendment authorizes the appropriation of such sums as may be necessary to carry out the purposes of the Act, except that a total of not more than $1.5 million may be appropriated for the acquisition of real and personal property.

Section-by-Section Anaylsis

Section 1 entitles the Act the "Weir Farm National Historic Site Establishment Act of 1990."

Section 2 defines certain terms used in the Act.

Section 3 contains the Congressional findings and purposes.

Section 4 establishes the 62-acre Weir Farm National Historic Site in Connecticut (the "historic site") as a unit of the National Park System. The site consists of the two-acre core parcel containing Weir's house, studio and barn and approximately 60 surrounding acres owned by the State of Connecticut.

Section 5(a) authorizes the Secretary of the Interior (the "Secretary") to acquire by donation, exchange, or purchase with donated or appropriated funds, the core parcel and improvements thereon. The Secretary is authorized to acquire the 60-acre State of Connecticut parcel only by donation or exchange. The Secretary is also authorized to acquire personal property associated with, and appropriate for, the interpretation of the historic site. The subsection explicitly provides that the Secretary may only acquire works of art associated with the Weir family, J. Alden Weir, and other artists who lived at or visited the site, by donation or purchase with donated funds.

Subsection (b) authorizes the Secretary to accept and use donated funds, property and services to carry out the Act.

Section 6 describes the administrative procedures for the historic site.

Subsection (a) directs the Secretary to administer the historic site in accordance with this Act and laws generally applicable to units of the National Park System, including the 1916 National Park Service Organic Act and the Historic Preservation Act of 1935.

Subsection (b) provides that the Secretary may consult and enter into cooperative agreements with the State of Connecticut concerning the maintenance, restoration, and management of the lands and improvements within the boundaries of the historic site.

The Secretary is also authorized to enter into cooperative agreements with the Weir Farm Heritage Trust, the State of Connecticut, the American Academy of Arts and Letters, and other organizations and groups in the development, presentation and funding of art exhibits, resident artist programs, and other appropriate activities.

Paragraph (3) permits the Secretary to consult and enter into cooperative agreements with the Nature Conservancy and the towns of Ridgefield and Wilton for the purpose of coordinating activities on the historic site with activities on the Nature Conservancy's

Weir Preserve and lands adjoining the historic site owned by the two towns.

Subsection (c) provides that the Secretary shall consult with the Weir Farm Heritage Trust in matters relating to the preservation, development and use of the historic site.

Subsection (d) states that the Secretary may display and accept for the purposes of display, works of art associated with J. Alden Weir, Weir Farm, and the American Impressionist movement.

Section 7 authorizes the appropriation of such sums as may be necessary to carry out the purposes of this Act, except that not more than $1.5 million may be appropriated for the acquisition of real and personal property.

Cost and Budgetary Considerations

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, DC, June 5, 1990.

Hon. J. Bennett Johnston, Jr.
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the attached cost estimate for S. 2059, the Weir Farm National Historic Site Establishment Act of 1990.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

Robert D. Reischauer,
Director.

Congressional Budget Office Cost Estimate

1. Bill number: S. 2059.

2. Bill title: Weir Farm National Historic Site Establishment Act of 1990.

3. Bill status: As order reported by the Senate Committee on Energy and Natural Resources, May 23, 1990.

4. Bill purpose: S. 2059 would establish the Weir Farm National Historic Site, to comprise 62 acres of land and associated structures in the State of Connecticut. Subject to certain restrictions, section 5 of the bill would authorize the Secretary of the Interior to acquire real and personal property for the site. This section would authorize the Secretary to purchase a privately owned 2-acre core site and to acquire the remaining state-owned lands by exchange or donation. The use of appropriated funds to purchase any works of art would be prohibited, but the Secretary would be authorized to accept and use donated funds, property, and services for this and other purposes.

For the purposes of developing and interpreting the site's resources (including the restoration of acquired buildings), section 6 of the bill would authorize the National Park Service (NPS) to

enter into cooperative agreements with state and local authorities and other interested organizations.

Finally, section 7 of the bill would authorize the appropriation of whatever sums are necessary to carry out these provisions, including up to $1.5 million for acquisition.

5. Estimated cost to the Federal Government:

[By fiscal year, in millions of dollars]

	1991	1992	1993	1994	1995
Estimated authorization level	2.0	2.3	.6	.6	.6
Estimated outlays	1.9	1.0	1.1	1.1	.9

The costs of this bill fall within budget function 300.

Basis of Estimate: For purposes of this estimate, CBO has assumed that S. 2059 will be enacted late in fiscal year 1990 and that the full amounts estimated to be necessary will be appropriated for each fiscal year. For 1991, the estimated authorization level includes the $1.5 million authorized for property acquisition. Another $1.7 million has been included in 1991 and 1992 for one-time restoration activities. Finally, about $600,000 has been included each year for operating costs and other ongoing expenses.

Based on information obtained from the NPS, CBO estimates that the $1.5 million provided for property acquisition would be spent during fiscal year 1991. Outlays for restoration and other activities have been estimated on the basis of historical spending patterns for such activities.

6. Estimated cost to State and Local governments: None.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Deborah Reis.

10. Estimate approved by: C.G. Nuchols, for James L. Blum, Assistant Director for Budget Analysis.

Regulatory Impact Evaluation

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2059. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork result from the enactment of S. 2059, as reported.

Executive Communications

On March 6, 1990, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Mangement and Budget setting forth executive views on S. 2059. These reports had not been received at the time the report on S. 2059 was filed. When the reports become

available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF JAMES RIDENOUR, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, I appreciate the opportunity to provide your Subcommittee with views of the Department of the Interior on this legislation.

S. 2059 would establish Weir Farms National Historic Site, and would authorize the Park Service to acquire the two acre home site from the Trust for Public Land for management, preservation, and interpretation. The bill would further authorize the Park Service to expend up to $3.5 million to acquire paintings and collections for display, interpretation, and research purposes.

We are opposed to this legislation as being premature. The North Atlantic Regional Office of the National Park Service just completed in February 1990 a suitability and feasibility study of the Weir Farm stie. That study is still under review by Washington, D.C. staff, and has not been formally approved by the Director of the National Park Service. Moreover, the study raises many questions which must be answered before the Administration can support adding this property to the National Park System. Most importantly we need to review this proposal in the context of new criteria now under development within the Admninistration. We expect to reach agreement on such criteria in a matter of weeks. In addition, a theme study for all potential artist units may be necessary.

The Regional office of the National Park Service is very excited about this proposal, but I must temper my Regional staff's enthusiasm by urging Congress to adopt a national perspective. Consideration of alternative which might include cooperative partnerships with other organizations, technical assistance to such organizations, and definiton of the role of state and local government ought to be fundamental to the final decision on whether or not Weir Farm is an appropriate addition to the National Park System.

The Weir Farm site in Wilton and Ridgefield Connecticut is the home and workplace of J. Alden Weir (1852–1919), a major figure in American art and a leading American Impressionist artist. If enacted this would be the first National Park unit in Connecticut, and the only site in the National Park System dedicated to the them of American painting.

Weir Farm is a National Register property which includes the artist's intact home and studio, barns and outbuildings from his era, a four acre pond he built, and the fields, woodlands, and stonewalls he depicted in paintings now held by such institutions as the Metropolitan Museum of Art, the National Museum of American Art (Smithsoni-

an), and the Phillips Collection. The site also includes the studio of Mahonri M. Young, where he sculpted the "This is the Place Monument" for Pioneer State Park, Utah.

The 62-acre proposed site has been protected by a land acquisition effort involving the State of Connecticut, and the Trust for Public Land. The State has expended $4.25 million for land acquisition, but is uanble to manage the site. The Trust for Public Lands has acquired the Weir home and its surrounding 2 acres, but asserts it is unable to manage it for the long term. The Nature Conservancy and Town of Ridgefield have acquired an adjacent 113 acres of open space which they intend to own and manage for the long term; these acres are outside the proposed site boundary.

The estimated costs for the National Park Service attributable to S. 2059 include acquisition of the two acre home site for $800,000, and acquisition of paintings and archival collections at $3.5 million. Development costs proposed in this bill for the National Park Service are estimated at 41.7 million, and annual operating costs at $500,000.

The legislation proposes that the Weir Farm Heritage Trust will fund and build an art museum on the grounds for the display of Weir paintings, and paintings of other American impressionists. The proposed cost of the museum is $3.6 million.

In addition to our overall position that S. 2059 is premature, we also object to three specific provisions of this legislation.

The National Park Service is authorized to purchase paintings and archival materials and furnishings to a ceiling of $3.5 million. These should be specified for acquisition by donation or purchase with donated funds.

The National Park Service is authorized to lease the property of the State of Connecticut. While a cooperative agreement for management is certainly a tool for possible cooperative management ventures, the Federal government should not pay or otherwise provide funds to the State of Connecticut for a lease of State land.

We further question the potential inclusion of additional land within the boundary, if it becomes available. The boundary should be fixed by the boundary map to avoid uncertainties.

In conclusion, we would be willing to explore partnership arrangements for this very special property, but only within the context of new unit criteria now under development within the Adminsitration.

This concludes my testimony Mr. Chairman. I would be happy to answer any questions you may have.

Changes in Existing Law

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 2059, as ordered reported.

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